

P18214.A16

Application No. 09/450,511

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kaoru ARAI et al.

Group Art Unit : 1734

Appl. No : 09/450,511 ✓

Examiner : Mayes

Filed : November 30, 1999

For : CERAMIC COMPOSITE AND MANUFACTURING METHOD THEREOF

COVER LETTER FOR TERMINAL DISCLAIMER

Mail Stop Issue Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Enclosed is an executed Terminal Disclaimer and a check which includes the fee of \$110.00 as set forth in 37 C.F.R. 1.20(d).

Applicants are filing the enclosed Terminal Disclaimer merely to remove any potential issue as to whether the claims of the above-identified application and those of U.S. Patent Application No. 09/658,021 in any way conflict. However, neither Applicants nor the assignee intend to make any representation as to whether the invention defined by any of the claims of either the instant application or U.S. Patent Application No. 09/658,021 would have been obvious in view of the other or whether an obvious-type double patenting rejection would be appropriate if the enclosed Terminal Disclaimer were not filed.

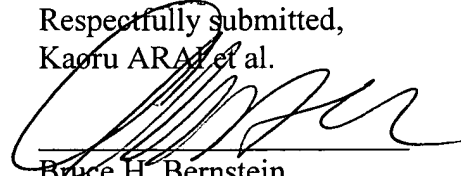
Authorization is hereby provided to credit any overpayment or to charge any additional fee to Deposit Account No. 19-0089.

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Should the Examiner have any questions regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Kaoru ARAI et al.



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March 30, 2004
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6/20/04 33,094

P18214.A15



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TERMINAL DISCLAIMER

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Your petitioner, **PENTAX Corporation**, a corporation of Japan, whose business address is 36-9, Maenochō 2-chōme, Itabashi-ku, Tokyo JAPAN, represents that it is the owner of record of the entire right, title and interest of the above-identified application by virtue of an assignment to Asahi Kogaku Kogyo Kabushiki Kaisha recorded in the U.S. Patent and Trademark Office on November 30, 1999, at REEL 010431, FRAME 0702 of U.S. Application No. 09/450,511 for CERAMIC COMPOSITE AND MANUFACTURING METHOD THEREOF, and by a change of name to PENTAX Corporation filed with the U.S. Patent and Trademark Office January 16, 2004 (a copy of which is attached), and that it is the owner of record of the entire right, title and interest of U.S. Patent Application No. 09/658,021 by virtue of an assignment to Asahi Kogaku Kogyo Kabushiki Kaisha recorded in the U.S. Patent and Trademark Office on December 15, 2000, at REEL 011371, FRAME 0971 for SUSTAINED RELEASE DRUG CARRIER, AND METHOD

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FOR MANUFACTURING SUSTAINED RELEASE DRUG CARRIER, and by a change of name to PENTAX Corporation filed with the U.S. Patent and Trademark Office January 16, 2004 (a copy of which is attached).

The undersigned representative is authorized to act on behalf of the assignee, and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee.

Your petitioner, PENTAX Corporation, hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of any patent granted on U.S. Patent Application No. 09/658,021, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on United States Patent Application No. 09/658,021, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

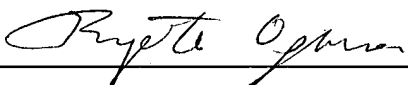
Petitioner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of any patent granted on U.S. Patent Application No. 09/658,021 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the failure of common ownership stated above.

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I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,
PENTAX Corporation

By


Name Ryota Ogawa

Director
Title

March 4, 2004